

State of Michigan.
In The Michigan Supreme Court.
925 W. Ottawa St.
Lansing, Michigan 48915.
517-373-0120.

BREACH OF 17TH JUDICIAL CIRCUIT PLEA – 07/22/2015.

MCOA CASE NO.: 352572.

APPELLANT'S BRIEF MCR 6.500 et seq.

BREACH OF 17TH CIRCUIT PLEA AGREEMENT - AT A SESSION HELD IN
THE 17TH JUDICIAL CIRCUIT COURT ON – 07/22/2015. HON.: GEORGE S. BUTH
P-11479:

IN RE: STACEY R. SMITH (PRO SE IN FORMA PAUPERIS).
M.D.O.C. NO.: 961806.

855 KALAMAZOO AVE SE
GRAND RAPIDS, MICHIGAN 49507.
616-350-5709.

02/05/2020:11:10:29AM

V. MSC CASE NO.: 161058. MOTION TO SEAL SUPREME COURT
FILE NO.: 161058; MCOA: 352572;
17TH JUDICIAL CIRCUIT COURT. LOWER COURT CASE NO.: 14-11012-FH
ATTN.: HON.: MARK A. TRUSOCK P-38156. MCR 7.203 (A), (B), (C), 1-6.
CASE NO.: 20-00224-AS

180 OTTAWA AVE NW. MOTION FOR EXCEPTIONAL ISSUANCE.
GRAND RAPIDS, MICHIGAN 49503. MCR 7.215 (F) (2).
616-632-5220. (EXECUTION & ENFORCEMENT).

LEAD PROSECUTOR CHRIS R. BECKER P-53752.

KENT COUNTY PROSECUTOR'S OFFICE.

SUITE NO.: 450.

82 IONIA AVE NW.

GRAND RAPIDS, MICHIGAN 49503.

616-632-4700.

DEFENSE COUNSEL JOHN R. BEASON P-43095.

LAW OFFICES OF ATTORNEY JOHN R. BEASON.

SUITE NO.: 530.

15 IONIA AVE NW.

GRAND RAPIDS, MICHIGAN 49503.

616-458-3791.

(BREACH OF 17TH PLEA AGREEMENT) – MOTION TO SEAL APPEALS FILE NO.: 353572 & MSC FILE NO.: 161058 & L.C.: FILE NO.: 14-11012-FH (IN WHOLE).

NOW ENTERS THE PLAINTIFF, IN RE, FOR BREACH OF THE PLEA AGREEMENT SET FORTH IN THE 17TH JUDICIAL CIRCUIT COURT FOR THE COUNTY OF KENT; PLAINTIFF, IN RE, HAS SOUGHT RELIEF IN THE FORM OF A MOTION TO SEAL CASE NO'S.: 352572, IN REFERENCE TO LOWER CASE NO.: 14-11012-FH IN THE 17TH JUDICIAL CIRCUIT COURT PURSUANT TO MCR 6.500 ET SEQ. FOR RELIEF IN CONJUNCTION TO MCR 7.211 (C) (9) – FOR THE 17TH JUDICIAL CIRCUIT COURT, LEAD PROSECUTOR CHRIS R. BECKER, AND DEFENSE COUNSEL JOHN R. BEASON FOR GROSS NEGLIGENCE FOR – BREACH OF THE 17TH JUDICIAL CIRCUIT COURT PLEA AGREEMENT.

SUMMARY.

In direct summary - To the issues to leave for appeal to The Michigan Court of Appeals with regard to a Motion for Relief From Judgment, is per the order of the Honorable Mark A. Trusock P-38156 Chief Judge of the 17TH Judicial Circuit Court in his Opinion and Order – that IN RE: STACEY R. SMITH'S relief, is a Motion for Relief of Judgment, hereby initiated in the Michigan Court of Appeals.

PLAINTIFF, IN RE, believes that the order received by U.S. District Judge Paul Lewis Maloney P-25194 is adopted, in part, to uphold AMENDMENT (V)-5 of the United States Constitution under Fifth Amendment Infringement due to the curtailing of the PLAINTIFF, IN RE'S, personal freedom ultimately upheld by Article 17 of The Michigan Constitution of 1963 which is also compelled to this Honorable Court. U.S. District Judge Paul Lewis Maloney attempted to uphold AMENDMENT (V)-5 through his adoption of Case No.: 1:16-CV-1381 pursuant to 28 U.S.C. 1361 and 1631 therefore being upheld by Article 17 of The Michigan Constitution of 1963. – IN INTERPRETATION.

PLAINTIFF, IN RE, believes that Defense Counsel failed to dismiss the case for lack of evidence, while plaintiff's own testimony, per say, was being used against him in the form of a falsified document discovered only by the PLAINTIFF, IN RE, until 11/14/2016 after reviewing the case. Please refer to EXHIBIT (A) in the file which was comprised of Det. Swiercz's (falsified) 62A Affidavit for Probable Cause for Felony Complaint unknown to the Plaintiff, In Re, until said date. PLAINTIFF, IN RE, also

believes that Prosecution and Defense Counsel are in violation of MCR 6.201 (J). Defense Counsel should have dismissed this case in DISTRICT court pursuant to MCR 6.110 (C) and (H) but failed to do so by failing to have a Pre-Trial Conference and WAIVED it. Now this matter is under a BREACH OF THE PLEA AGREEMENT **WITHOUT REMEDY.**

AFFIDAVIT – Shall be the entry of the most recent back ground check from, “GENERAL INFORMATION SERVICES”, as – PROOF OF PUBLISHED REGISTRATION in direct breach of the 17TH Judicial Circuit Plea Agreement.

ISSUE II: Without relief being granted this would have to then become an extraordinary circumstance to where Superintending Control **could be warranted.**

PLAINTIFF, IN RE, believes this to be a transfer to cure want of Superintending Control pursuant to MCR 3.302, OR, UPHOLD Article 17 of the Michigan Constitution of 1963 with regards to AMENDMENT (V)-5 of the U.S. Constitution for infringement.

As of January 29, 2020, PLAINTIFF, IN RE, HAS FILED A MOTION FOR RE-CONSIDERATION for case No.: 20-00224-AS, with a HEARING DATE STILL SET FOR **FEBRUARY 07, 2020 at 2PM AT THE 17TH JUDICIAL CIRCUIT COURT.**

If Superintending Control is to be exerted, it is to be upon the 62A JUDICIAL DISTRICT COURT, lower court of The 17TH Judicial Circuit Court – **CASE ORIGINATION.**

MCL 600.4401 (1) – SUPERINTENDING CONTROL AGAINST A STATE OFFICIAL, was the basis of the COMPLAINT FOR WRIT OF MANADAMAUS in this proceeding based on the filing with the 6TH CIRCUIT COURT OF APPEAL FOR THE UNITED STATES – 17-1022 – **FILED AND AFFIRMED.**

NOLLE PRO SE QUI, AND APPLICATION TO SET ASIDE CONVICTION WITH, THE SCAO FORM FOR A MOTION FOR RELIEF OF JUDGMENT FORM, MOTION TO MODIFY SENTENCING – **ON FILE.**

A FEDERAL QUESTION: PURSUANT TO 28 U.S.C. 2403 (a) – If a State Agency is allowed to knowingly accept (FALSIFIED) information or a document which causes (SEFL-INCRIMINATION) to be used in a case which infringes upon a protected right in a criminal case?

PLAINTIFF, IN RE, believes that his rights and certain laws CONTINUE to be infringed upon by the courts THEMSELVES.

The Honorable Mark A. Trusock P-38156 refrained from issuing a Motion and/or Order to Show Cause for Becker and Beason for orchestration of the plea agreement and for NON-COMPLIANCE AND ENFORCEMENT as well.

VIOLATION OF DUE PROCESS RIGHTS – VICTIM INDICATED IN THE WPD POLICE REPORT THAT HE WAS NOT HURT FROM ALLEGED INCIDENT.

MALICE AND COERCION USED BY DET SWIERCZ – DET. SWIERCZ IN THE AFFIDAVIT PLACED ME AT THE DAVID'S HOUSE ON 06/01/2014. WHEN MY FIRST DAY WAS ORIENTATION ON 06/13/2014 PLACING ME AT THE SCENE OF THE CRIME BEFORE I STARTED ON THE FLOOR AT THE DAVID'S HOUSE AND COULD NOT HAVE BEEN EMPLOYED AND ENGAGED WITH THE RESIDENCE AT THAT TIME. (PROOF).

Prosecution and Det. Sweircz in conjunction misconstrued MCL 750. 520 (C) (1) (H). While Dr. Timothy Royer indicated PENETRATION while the 62A AFFIDAVIT FOR PROBABALE CAUSE FOR FELONY COMPLAINT INDICATES TOUCHING – IS INCONSISTENT.

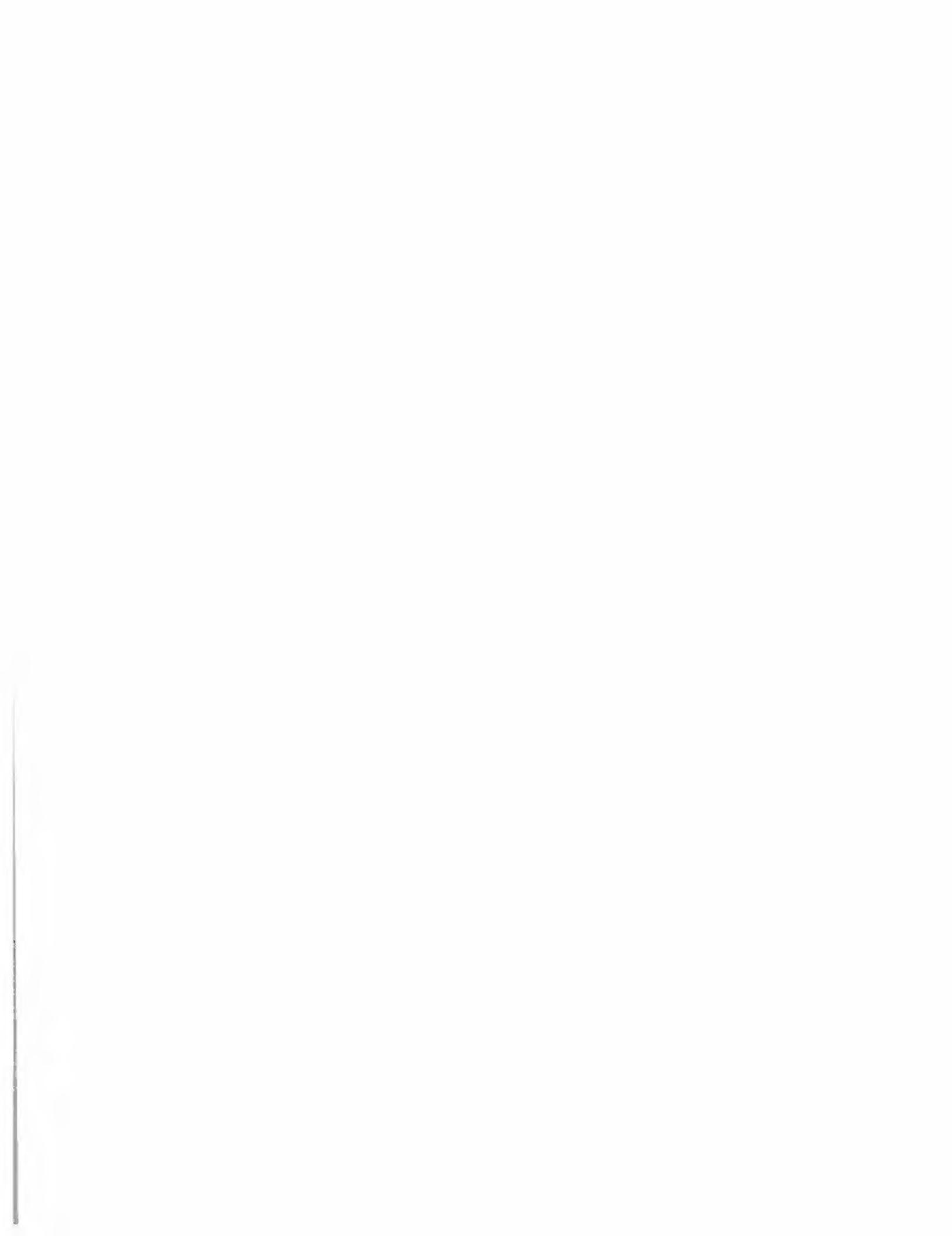
28 U.S.C. 1631 – STIPULATES: VERBATIM; The District Courts shall have ORIGINAL jurisdiction in ANY action in the nature of MANDAMUS- or what is now called SUPERINTENDING CONTROL, To compel an officer or employee of the United States, IN THE STATE OF MICHIGAN, or ANY agency therof to perform the duty owed to the PLAINTIFF, to the Michigan Supreme Court – (GENERAL JURISDICTION) – In The Michigan Court of Appeals, as AFFIRMED PER CURIAM. (MANDAMUS UT DE FOEDERATUM).

HOWEVER, MCR 6.500 et seq. is the AFFIRMED relief for MCL 600.4401 (1) – SUPERINTENDING CONTROL ON STATE OFFICIALS FOR BREACH OF THE 17TH JUDICIAL CIRCUIT PLEA AGREEMENT ALONG WITH THE 17TH JUDICIAL CIRCUIT ITSELF – BREACH OF 17TH JUDICIAL CIRCUIT PLEA AGREEMENT SET FORTH AT A SESSION HELD ON – 07/22/2015.

Pursuant to MCR 7.215 (F) (2) – under Exceptional Issuance, the PLAINTIFF, IN RE, request under Execution and Enforcement of this rule to be the ORDER of this court. THAT, said appellant no.: 352572 in conjunction with lower court case no: 14-11012-FH of the 17TH Judicial Circuit Court be sealed in accordance to MCR 7.211 (C) (9) of the Michigan Court Rules, upheld by MCR 7.215 (F) (2).

IT IS SO ORDERED: 1ST. AFRICAN NATIONAL & CO.

MR. STACEY R SMITH:ELECTRONIC SIGNATURE FOR MSC CASE NO.: 161058.



STATE OF MICHIGAN MSC-VG JUDICIAL DISTRICT 17TH JUDICIAL CIRCUIT COUNTY PROBATE		SUBPOENA Order to Appear and/or Produce	CASE NO. MSC: 161058. L.C. 14-11012-FH
Court address 925 W. OTTAWA ST LANSING, MICHIGAN 48915		Court telephone no. (517) 373-0120	
Police Report No. (if applicable): N/A			
Plaintiff(s)/Petitioner(s) <input checked="" type="checkbox"/> People of the State of Michigan <input type="checkbox"/> _____ _____		Defendant(s)/Respondent(s) Mr. Stacey R. Smith (DEF) CHRIS BECKER (RESP) 855 Kalamazoo Ave SE Grand Rapids, Michigan 49507 (616) 350-5709 Charge MCL 750.520E	
<input type="checkbox"/> Civil <input checked="" type="checkbox"/> Criminal			
<input type="checkbox"/> Probate In the matter of _____			

In the Name of the People of the State of Michigan. TO:

PROSECUTING ATTORNEY 82 IONIA AVE NW GRAND RAPIDS, MICHIGAN 49503. P-53752. CHRISTOPER R. BECKER.

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

<input checked="" type="checkbox"/> 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.		
<input checked="" type="checkbox"/> The court address above <input type="checkbox"/> Other:		
Day WED.	Date 04/01/2020	Time 1:30 PM

2. Testify at trial / examination / hearing.

3. Produce/permit inspection or copying of the following items: RECORDING AND TRANSCRIPTS AND ALL OTHER EVIDENCE PURSUANT TO ABOVE CASE NUMBER. ALL OTHER EVIDENCE FROM THE PROSECUTOR INCLUDING BUT NOT LIMITED TO ALL MEDIA, CD'S, DVD'S, PAPER DOCUMENTS, TESTIMONY, DEPOSITIONS, AND PROFESSIONAL TESTIMONY. AND RESPONSE FROM THE PROSECUTOR AS TO WHY THE DISCOVERY MOTION WAS IGNORED AND NOT ACKNOWLEDGED DURING THE COURT PROCEEDING. AND RESPONSE TO LINE 7 BY P-34095.

4. Testify as to your assets, and bring with you the items listed in line 3 above.

5. Testify at deposition.

6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)

7. Other: BREACH OF PLEA AGREEMENT. MOTION TO TRANSFER TO CURE WANT OF JURISDICTION. 1:16-cv-1831.

<input type="checkbox"/> 8. Person requesting subpoena MR. STACEY R. SMITH		Telephone no. (616) 350-5709
Address 855 KALAMAZOO AVE SE		
City GRAND RAPIDS	State MICHIGAN	Zip 49507

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.



PROOF OF SERVICE

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE/AFFIDAVIT OF SERVICE/NONSERVICE

 OFFICER CERTIFICATE

OR

 AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

I served a copy of the subpoena, together with _____ (including any required fees) by Attachment

personal service

registered or certified mail (copy of return receipt attached)

on:

Name(s)	Complete address(es) of service	Day, date, time
LEAD PROSECUTOR CHRIS BECKER	82 IONIA AVE GRAND RAPIDS, MICHIGAN 49503	04/01/2020
DET. PHILLIP SWIERCZ WPD	2300 DE HOOP AVE WYOMING, MICHIGAN 49509	04/01/2020

I have personally attempted to serve the subpoena and required fees, if any, together with _____ on the following person(s) and have been unable to complete service. Attachment

Name(s)	Complete address(es) of service	Day, date, time
		VE 1/1/2020

Service fee \$	Miles traveled	Fee \$	
Incorrect address fee \$	Miles traveled	Fee \$	TOTAL FEE \$

Signature

Stacey R. Smith

Name (type or print)

Appellant in Pro per

Title

Sherrie Gillespie, Notary Public, Michigan.

Kent County, State of Michigan

My Commission Expires

January 28, 2023

Subscribed and sworn to before me on 3/11/2020 DateMy commission expires: 01/28/2023 Date

Signature:

Deputy court clerk/Notary public

Notary public, State of Michigan, County of Kent

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the subpoena and required fees, if any, together with _____

Attachment

on

Day, date, time

on behalf of _____

Signature

AFFIDAVIT FOR JUDGMENT DEBTOR EXAMINATION

I request that the court issue a subpoena that orders the party named on this form to be examined under oath before a judge concerning the money or property of: _____ for the following reasons: _____

Signature

Subscribed and sworn to before me on _____, _____ County, Michigan.

Date

My commission expires: _____ Signature: _____ Deputy court clerk/Notary public

Date

Notary public, State of Michigan, County of _____

STATE OF MICHIGAN MSC-VG JUDICIAL DISTRICT 17TH JUDICIAL CIRCUIT COUNTY PROBATE		SUBPOENA Order to Appear and/or Produce	CASE NO. MSC: 161058. L.C.: 14-11012-FH
Court address 925 W OTTAWA ST. LANSING, MICHIGAN 48915		Court telephone no. (517) 373-0120	
Police Report No. (if applicable): WY1429462			
Plaintiff(s)/Petitioner(s) <input checked="" type="checkbox"/> People of the State of Michigan <input type="checkbox"/> _____ _____		Defendant(s)/Respondent(s) v Mr. Stacey R. Smith (DEF) JOHN R. BEASON (RESP) 855 Kalamazoo Ave SE Grand Rapids, Michigan 49507 (616) 350-5709 Charge MCL 750.520E	
<input type="checkbox"/> Probate In the matter of _____			

In the Name of the People of the State of Michigan. TO:

DEFENSE COUNSEL FOR (DEFENDANT) AVE NW GRAND RAPIDS, MICHIGAN 49503. P-34095. JOHN R. BEASON.

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

- 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.
- The court address above Other:

Day	Date	Time
WED.	04/01/2020	1:30 PM

- 2. Testify at trial / examination / hearing.
- 3. Produce/permit inspection or copying of the following items: RECORDING AND TRANSCRIPTS AND ALL OTHER EVIDENCE PURSUANT TO ABOVE CASE NUMBER. ALL OTHER EVIDENCE FROM THE PROSECUTOR INCLUDING BUT NOT LIMITED TO ALL MEDIA, CD'S, DVD'S, PAPER DOCUMENTS, TESTIMONY, DEPOSITIONS, AND PROFESSIONAL TESTIMONY. AND RESPONSE FROM THE PROSECUTOR AS TO WHY THE DISCOVERY MOTION WAS IGNORED AND NOT ACKNOWLEDGED DURING THE COURT PROCEEDING. AND RESPONSE TO LINE 7 BY P-34095.
- 4. Testify as to your assets, and bring with you the items listed in line 3 above.
- 5. Testify at deposition.
- 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)
- 7. Other: BREACH OF PLEA AGREEMENT. MOTION TO TRANSFER TO CURE WANT OF JURISDICTION. 1:16-cv-1831.

8. Person requesting subpoena MR. STACEY R. SMITH	Telephone no. (616) 350-5709	
Address 855 KALAMAZOO AVE SE		
City GRAND RAPIDS	State MICHIGAN	Zip 49507

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

04/01/2020

Date

Judge/Clerk/Attorney

P-53941.

Bar no.

Court use only
 Served Not served



SUBPOENA

PROOF OF SERVICE

Case No.

MSC: 161058.

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE/AFFIDAVIT OF SERVICE/NONSERVICE

 OFFICER CERTIFICATE

OR

 AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

I served a copy of the subpoena, together with _____ (including any required fees) by Attachment

 personal service registered or certified mail (copy of return receipt attached)

on:

Name(s)	Complete address(es) of service	Day, date, time
JOHN R. BEASON P-34095.	15 IONIA AVE GRAND RAPIDS, MICHIGAN 49503	04/01/2020
DET. PHILLIP SWIERCZ WPD	2300 DE HOOP AVE WYOMING, MICHIGAN 49509	04/01/2020

I have personally attempted to serve the subpoena and required fees, if any, together with _____ on the following person(s) and have been unable to complete service. Attachment

Name(s)	Complete address(es) of service	Day, date, time

Service fee \$	Miles traveled	Fee \$
Incorrect address fee \$	Miles traveled	Fee \$

Subscribed and sworn to before me on 3/11/2020 Date

My commission expires: 1/28/2023 Date

Notary public, State of Michigan, County of Kent

Signature

Name (type or print)

Title

Sherry R. Smith

Appellant Pro Per

Kent

Sherrie Q. Smith, Michigan.

Notary Public

Wayne County, State of Michigan

My Commission Expires

January 28, 2023

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the subpoena and required fees, if any, together with _____

Attachment

ON

Day, date, time

on behalf of _____

Signature

Signature

Subscribed and sworn to before me on _____, _____ County, Michigan.

Date

My commission expires: _____ Signature: _____

Date

Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

Approved, SCAO

Original - Court
1st copy - Subject

2nd copy - Return
Additional copies as needed
PROBATE JIS CODE: MOT, OSC
CASE NO.

STATE OF MICHIGAN
JUDICIAL DISTRICT
17TH JUDICIAL CIRCUIT
COUNTY PROBATE

MOTION AND/OR ORDER TO
SHOW CAUSE

Court telephone no.

(616) 632-5020

Court address

80 OTTAWA AVE NW GRAND RAPIDS, MICHIGAN 49503

Plaintiff(s)/Petitioner(s)

MR. STACEY R. SMITH (APPELLANT).

Defendant(s)/Respondent(s)/Probationer

CHRISTOPHER R. BECKER P- 53752 (APPELLEE).

Probate

Juvenile

In the matter of (BREACH OF PLEA AGREEMENT DATED: 07/22/2015). 17TH CIR.

MOTION AND AFFIDAVIT

I am interested in this matter as MOTION FOR RELIEF OF JUDGMENT. MCR 6.502, MCR 6.503. PLEA BREACH.

I, LEAD PROSECUTOR CHRISTOPHER R. BECKER, has failed to comply with an order dated 07/22/2015
Name (type or print)

is in contempt for BREACH OF 17TH CIRCUIT PLEA.

State with particularity admissible facts establishing this motion

BREACH OF 17TH CIRCUIT PLEA AGREEMENT 07/22/15 -ORDER VACATING CONVICTION/NEW DISPOSITION.

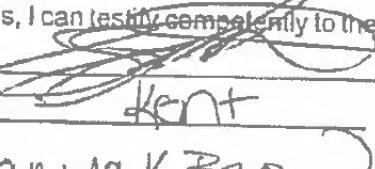
I request an order directing LEAD PROSECUTOR CHRISTOPHER R. BECKER. to show cause why
Name (type or print)

a. he/she should not be found in civil criminal contempt of court.
 b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
 c. Judgment should not be entered against him/her for failure to file a garnishee disclosure.

This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this motion
and affidavit.

Subscribed and sworn to before me on 11/6/2020

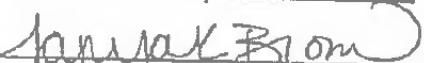
Signature



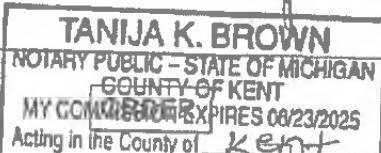
County, Michigan.

My commission expires: 11/23/2025

Date

Signature: 

Notary public, State of Michigan, County of



I, LEAD PROSECUTOR CHRISTOPHER R. BECKER P-53752
(BREACH OF PLEA AGREEMENT) - Breach of Agreement
set forth for (NON-PUBLISHED REGISTRATION) - S.O.R.A.
AND, EX PARTE REQUEST FOR JUDICIAL REVIEW.

If you require special accommodations to use
the court because of a disability or if you require
a foreign language interpreter to help you fully
participate in court proceedings, please contact
the court immediately to make arrangements.

IS ORDERED:

You must appear before this court on 02/07/2020 at 2:00 PM at the court address above courtroom no. _____

180 OTTAWA AVE NW GRAND RAPIDS MICHIGAN 49503 (COURT ROOM OF HONORABLE J. JOSEPH ROSSI).

to show cause why

you should not be held in civil criminal contempt
 for failure to comply with the order of this court as follows:
 for the reasons stated in the motion.
 a judgment should not be entered against you.
 your case should not be dismissed.
 other: MOTION TO TRANSFER TO CURE WANT OF JURISDICTION; U.S. DISTRICT JUDGE PAUL L. MALONEY.

Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.

A copy of this must be served personally by mail on the person ordered to appear at least 21 days before the hearing.

07/2020

P-53941.

MOTION AND/OR ORDER TO
SHOW CAUSE

Case No.

PROOF OF SERVICE

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE/AFFIDAVIT OF SERVICE/NONSERVICE

OFFICER CERTIFICATE

OR

AFFIDAVIT OF PROCESS SERVER

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization not required)

I served a copy of the motion and/or order to show cause by:

personal service

first-class mail

on:

Name(s)	Complete address(es) of service	Day, date, time
CHRISTOPHER R. BECKER	KENT COUNTY PROSECUTORS OFFICE, 82 IONIA NW GRAND RAPIDS, MICHIGAN 49503.	

I have personally attempted to serve the motion and/or order to show cause on the following person(s) and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

I declare that the statements above are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled \$	Fee \$	Signature
incorrect address fee \$	Miles traveled \$	TOTAL FEE \$	Name (type or print)
			Title

Subscribed and sworn to before me on _____, _____ County, Michigan.

My commission expires: _____ Signature: _____
Date _____ Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of this motion and/or order to show cause on _____ Day, date, time _____

on behalf of _____

Signature

For use by the court clerk only when the show cause proceeding is initiated by the court.

CERTIFICATE OF MAILING

I certify that on this date a copy of this motion and/or order to show cause was served on the person ordered to appear by first-class mail addressed to his or her last-known address as defined by MCR 2.107(C)(3).

Date _____

Signature

STATE OF MICHIGAN
JUDICIAL DISTRICT
17TH JUDICIAL CIRCUIT
COUNTY PROBATEMOTION AND/OR ORDER TO
SHOW CAUSE

Court address

80 OTTAWA AVE NW GRAND RAPIDS, MICHIGAN 49503

Court telephone no.

(616) 632-5020

Plaintiff(s)/Petitioner(s)

MR. STACEY R. SMITH (APPELLANT).

Defendant(s)/Respondent(s)/Petitioner

v JOHN R. BEASON (DEFENSE COUNSEL) P-34095.

 Probate Juvenile

In the matter of (BREACH OF PLEA AGREEMENT DATED: 07/22/2015), 17TH CIR.

MOTION AND AFFIDAVIT

I. I am interested in this matter as MOTION FOR RELIEF OF JUDGMENT. MCR 6.502, MCR 6.503. PLEA BREACH.

2. (DEFENSE COUNSEL)- JOHN R.BEASON.

 has failed to comply with an order dated 07/22/2015
 is in contempt for BREACH OF 17TH CIRCUIT PLEA.

Name (type or print)

State with particularity admissible facts establishing this motion
BREACH OF 17TH CIRCUIT PLEA AGREEMENT 07/22/15 -ORDER VACATING CONVICTION/NEW DISPOSITION.3. I request an order directing (DEFENSE COUNSEL) JOHN R. BEASON P-34095. to show cause why
Name (type or print)

a. he/she should not be found in civil criminal contempt of court.
 b. judgment should not be entered against him/her (as surety/agent) for the full amount of recognizance.
 c. judgment should not be entered against him/her for failure to file a garnishee disclosure.

4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this motion and affidavit.

I subscribed and sworn to before me on 11/6/2020

Signature

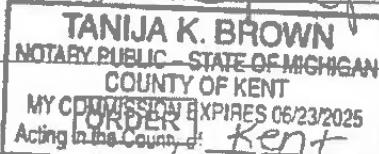
Kont

County, Michigan.

My commission expires: 06/23/2025

Signature: TANIA K. BROWN

Notary public, State of Michigan, County of

O: (DEFENSE COUNSEL) JOHN R. BEASON.

(BREACH OF PLEA AGREEMENT) – Breach of Agreement set forth for (NON-PUBLISHED REGISTRATION) – S.O.R.A. AND, EX PARTE REQUEST FOR JUDICIAL REVIEW.

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

IS ORDERED:

You must appear before this court on 02/07/2020 at 2:00 PM at the court address above courtroom no. _____

Date

Time

 180 OTTAWA AVE NW GRAND RAPIDS MICHIGAN 49503 (COURT ROOM OF HONORABLE J. JOSEPH ROSSI).

to show cause why

you should not be held in civil criminal contempt
 for failure to comply with the order of this court as follows:
 for the reasons stated in the motion.
 a judgment should not be entered against you.
 your case should not be dismissed.
 other: MOTION TO TRANSFER TO CURE WANT OF JURISDICTION; U.S. DISTRICT JUDGE PAUL L. MALONEY.

Failure to appear for a contempt hearing may result in a bench warrant being issued for your arrest.

A copy of this must be served personally by mail on the person ordered to appear at least 21 days before the hearing.

1/07/2020

100B /5/21 MOTION AND/OR ORDER TO SHOW CAUSE

Judge

P-53941.

Bar no

MOTION AND/OR ORDER TO

SHOW CAUSE

Case No. _____

PROOF OF SERVICE

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE/AFFIDAVIT OF SERVICE/NONSERVICE

 OFFICER CERTIFICATE

OR

 AFFIDAVIT OF PROCESS SERVER

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

I served a copy of the motion and/or order to show cause by:

personal service first-class mail on:

Name(s)	Complete address(es) of service	Day, date, time
JOHN R. BEASON	LAW OFFICE OF ATTORNEY JOHN R. BEASON 15 IONIA NW GRAND RAPIDS, MICHIGAN 49503.	

I have personally attempted to serve the motion and/or order to show cause on the following person(s) and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

I declare that the statements above are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled \$	Fee \$	IN WORDS: "MILES"	Signature: MICHIGAN NOTARY PUBLIC
Incorrect address fee \$	Miles traveled \$	Fee \$	TOTAL FEE \$	Name (type or print): _____ Title: _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date _____

My commission expires: _____ Signature: _____ Deputy court clerk/Notary public
Date _____

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of this motion and/or order to show cause on _____, _____ Day, date, time _____
on behalf of _____

Signature _____

For use by the court clerk only when the show cause proceeding is initiated by the court.

CERTIFICATE OF MAILING

I certify that on this date a copy of this motion and/or order to show cause was served on the person ordered to appear by first-class mail addressed to his or her last-known address as defined by MCR 2.107(C)(3).

Date _____

Signature _____